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December 7, 2010

Via ECF

The Honorable Michael A. Shipp
United States Magistrate Judge
United States District Court
U.S. Post Office & Courthouse
1 Federal Square
Newark, N.J. 07101-0999

Re: Carlos Zaldivar v. Township of Guttenberg et al.
Civil Action No. 09-3545 (PGS)

Dear Magistrate Judge Salas:

I represent the Plaintiff in the above caption matter. The parties have a settlement conference on **December 9, 2010 at 10:00 a.m.** I respectfully request permission to move the settlement conference to the afternoon on account of an unyielding scheduling conflict in another federal case that is subject to a court order deposition. In response to my letter seeking judicial intervention in scheduling the deposition of Sheriff Juan Perez in the matter of Edward Mesa v. Hudson County Sheriff Office et al, 09-3576 (KSH), Magistrate Judge Shwartz issued an Order on November 29, 2010 compelling the defendants to provide dates for the deposition of Hudson County Sheriff Juan Perez by December 2, 2010 and deposition to be taken by December 15, 2010. (See Exhibit). There are four attorneys in this case with varying scheduling conflicts. After much discussion, December 9, 2010 was the best day for the deposition of Sheriff Perez. The deposition is necessary to prepare the Final Pretrial Order due **December 17, 2010.**

I spoke with Mr. Morris about this request and he has consented to the brief adjournment. Should your honor have any questions, please do not hesitate to call my office.

Respectfully Submitted,

/s/ *LOUIS A. ZAYAS*

LOUIS A. ZAYAS, ESQ.